

1 DAVID A. ROSENFELD, Bar No. 058163
2 CAREN P. SENCER, Bar No. 233488
3 WEINBERG, ROGER & ROSENFELD
4 A Professional Corporation
5 1001 Marina Village Parkway, Suite 200
6 Alameda, California 94501-1091
7 Telephone 510.337.1001
8 Fax 510.337.1023

9 Attorneys for Petitioner

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12 INTERNATIONAL BROTHERHOOD OF) No. C08-02536-JL-ADR
13 TEAMSTERS, LOCAL 439,)
14 Petitioner,) NOTICE OF PENDENCY OF OTHER
15 v.) ACTION OR PROCEEDING
16 SAFEWAY, INC.,)
Respondent.)

17 1. Pursuant to L.R. 3-13 of the United States District Court for the Northern District of
18 California, Petitioner International Brotherhood of Teamsters, Local 439, hereby submits this
19 Notice of Pendency of Other Actions or Proceedings.

20 2. On May 21, 2008 Respondent Safeway, Inc. filed a "Notice of Motion and Motion
21 for a Speedy Hearing on the Claims Set Forth in Plaintiff's Complaint; Memorandum of Points and
22 Authorities" and a "Complaint for Speedy Declaratory Relief, An Order Compelling Arbitration,
23 and Damages", case number 2:08-cv-01136-JAM-JFM, in the United States District Court,
24 Eastern District of California.

25 3. The action pending in the Eastern District involves the same incident and
26 interpretation of the same contract language as the petition herein.

27 4. Transfer of the pending action in the Eastern District should be effected pursuant to
28 U.S.C. § 1407. Both matters should be heard in the Northern District.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: June 24, 2008

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

By: /s/ David A. Rosenfeld
DAVID A. ROSENFELD
Attorneys for Plaintiff

118972/497458